



MEMO ENDORSED

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

**THE CITY OF NEW YORK
LAW DEPARTMENT**
100 CHURCH STREET
NEW YORK, NY 10007

ALAN SCHEINER
Senior Counsel
Phone: (212) 356-2344
Fax: (212) 356-3509
ascheine@law.nyc.gov

April 25, 2024

VIA ECF

Honorable Dale E. Ho
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: Steven Dominguez v. City of New York, et al., 21-CV-2302 (DEH)

Your Honor:

I am a Senior Counsel in the office of Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, representing defendants City of New York, Officer Battista, Officer Lynch, Lt. Patrick Lynch, Det. Patrick Graney, and Det. Evan Nielsen. Defendants respectfully submit this application, with the consent of the plaintiff, for an extension of time of one week to make their limited motion for summary judgment, from April 29, 2024, to May 6, 2024, with the briefing schedule set forth below. This is the third request for extension of the summary judgment deadline; the first two requests were granted upon consent. As before, the motion for summary judgment would be limited to the plaintiffs' claim for municipal liability under *Monell v. Department of Soc. Svcs.*, 436 U.S. 658 (1978). The extension is needed to complete the motion papers because of urgent deadlines in other matters, and the undersigned's absence earlier this week due to the Passover holiday.

Should the Court grant defendants' request to make their motion to dismiss the *Monell* claim, the parties request the following briefing schedule:

- Deadline for submission of defendants' motion: May 6, 2024.
- Deadline for plaintiff's opposition: June 3, 2024.
- Deadline for defendants: Reply: June 10, 2024.

The requested extension would not affect any other deadlines or the trial date of August 12, 2024.

We thank the Court for its consideration of this matter.

Sincerely,

Alan Scheiner /s/
Alan Scheiner
Senior Counsel

cc: **VIA ECF**
Brian Bromberg, Esq.
Evan Brustein, Esq.
Attorneys for Plaintiff

Application **GRANTED**.

- The deadline for submission of Defendants' motion: **May 6, 2024**.
- Deadline for Plaintiff's opposition: **June 3, 2024**.
- Deadline for Defendants' reply, if any: **June 10, 2024**.

The Clerk of Court is respectfully directed to close ECF No. 138.

SO ORDERED.



Dale E. Ho
United States District Judge
Dated: April 26, 2024
New York, New York